

REMARKS

In accordance with the foregoing, the specification and claim 1 ARE amended. No new matter is added. Claims 1-5 are pending and under consideration.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 2 and 4 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by JP 2000-255579 to Ito et al. (hereinafter "Ito").

Independent claim 1 is amended herewith to specify that

the flow amount ratio is 0.05 or lower within 2 to 5 seconds; and
the flow amount of monomer gas is gradually reduced while the
amount of the oxidizing reactive gas is maintained at a
substantially fixed level.

The claim amendment is supported by the originally filed specification, for example, page 6, lines 2-6, and page 15, line 24 to page 16, line 1.

Maintaining the flow amount of monomer gas at 0.05 for two seconds or longer has the advantage of enabling reliable forming of a thin film having gas barrier properties. Additionally, limiting the time for maintaining the flow amount of monomer gas at 0.05 within 5 seconds has the advantage of effectively producing the thin film having gas barrier properties without wasting gas mixture. Thus, the flow amount of the monomer gas is controlled to reliably form the thin film having gas barrier properties.

Ito discloses a method of forming a barrier layer including silicon oxide on the surface of a plastic container using a plasma-CVD method, in which the flow amount of organic silicon compounds is decreased with respect to oxide (i.e. reactive gas) (see claim 2). Ito aims to shorten the time for forming a thin film while decreasing the load applied to an exhaust system used in a thin-film-forming apparatus.

Amended independent claims 1 and claims 2-5 depending directly or indirectly from claim 1 patentably distinguish over the cited prior art at least because the newly added features of claim 1 are not anticipated or rendered obvious by Ito.

CLAIM REJECTIONS UNDER 35 USC § 103

Claim 3 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ito. Claim 5 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ito in view of U.S. Patent No. 5,569,497 to Verzaro et al. ("Verzaro").

Verzaro does not correct or compensate for the above-identified failure of Ito in

anticipating or rendering obvious all the features of amended claim 1. Thus, claims 3 and 5 patentably distinguish over the cited prior art references at least by inheriting patentable features from amended claim 1.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

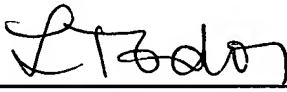
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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